

GOVERNMENT OF ANDHRA PRADESH
A B S R A C T

Social Welfare Department – Land Acquisition for House Sites – Kurnool District – Yemmiganur Village & Mandal - Land Acquired for provision of house sites to the weaker section people – Sanction of Rs.15,92,539/- towards half of the decretal charges in decretal charges in LAAS MP No.1059/2012 in LAAS No.341/2012, in OP No.84/2006 – Orders- Issued.

SOCIAL WELFARE (LA.2) DEPARTMENT

G.O Rt.No. 362

Dated: 20.05.2013

Read the following

1. From the Dist Collector, Kurnool Lr.No.H.43/SWLA/2012, dated 06.10.2012.
2. From the CSW, A.P., Hyderabad Lr.No.LA3/8675/2012, dated 20.10.2012.
3. From the CCLA & Spl Chief Secretary to Government Ref No.S2/935/ 2012, Dated. 22.02.2013

ORDER:

In the reference 3rd read above, the Special Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad has informed that the LAO/RDO, Adoni has acquired land admeasuring Ac. 5.055 Cts in Sy. No : 17/A1A situated at Yemmiganur Village & Mandal of Kurnool District through an award No.2/HS/2006, Dated 16.02.2006 for provision of house sites to weaker section people. The LAO/RDO, Adoni has fixed the land value @ Rs. 42,000/- and 46,000/- per acre. The claimant received compensation amount under protest and requested the LAO to refer the matter to the Civil Court for enhancement of compensation. The LAO/RDO, Adoni referred the matter to the Sr.Civil Court, Adoni for enhancement of compensations.. The Hon'ble Sr. Civil Judge court, Adoni issued orders dt : 26.02.2010 in OP. No : 84/2006 is as follows :

1. That the Claimants are entitled to the market value at Rs. 3,00,000/- per acre (Subject to deduction of 1/3rd thereof per acre).
2. The Claimant are entitled to Solatium @ 30 % p.a. on the enhanced amount
3. That the claimants are entitled to the additional value @ 12% per annum on enhanced amount from the date of preliminary notification till the date of award.
4. That the Claimant are entitled to interest 9% for one year from the date of preliminary notification and 15% p.a. there on the enhanced amount till the date of deposit in the Court.
5. The amount already paid by the LAO shall be deducted for the compensation payable.

The Special Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad has further stated that the Assistant Government Pleader, Adoni in his letter dated 13.06.2011 opined that there is no necessity to prefer the appeals against the order of above O.P, as the Hon'ble High Court has already fixed the M.V. of the acquired to Rs. 3,00,000/- per acre in the subject matter of A.S. No.1544/1986 basing on the said Judgement the Hon'ble Sr. Civil Judge, Adoni fixed the same M.V. per acre the enhancement is more than 50% the LAO/RDO, Adoni has filed an Appeal in the High Court of A.P. Hyderabad. As the orders of Hon'ble High Court are pending, the LAO/RDO filed LAAS MP No.1059/2012 in LAAS No.341/2012. The Hon'ble High Court in its orders dt 12.07.2012 in LAASMP No : 1059/2012 has issued Interim stay orders subject to the condition of the petitioner depositing 50 % of the decretal amount along with costs. The District Collector, Kurnool has submitted proposals to the Commissioner of Social Welfare, A.P., Hyderabad for sanction an amount of Rs.15,92,539/- towards payment of half of the decretal charges in LAAS MP.No.1059/2012 in LAAS No.341/2012, in OP No.84/2006 for the lands acquired to an extent of Ac.5.055 Cts in Sy.No.17/A1A situated at Yemmiganur Village & Mandal of Kurnool District for the purpose of providing house sites to the weaker section people,

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2. The Special Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad, after verification and scrutiny of the proposals of the District Collector, Kurnool/Commissioner, Social Welfare A.P., Hyderabad, has sent comparative calculation sheet for an amount of Rs.15,92,539/- (Rupees fifteen lakhs ninety two thousand five hundred and thirty nine only) towards payment of half of the decretal charges in LAAS MP No.1059/2012 in LAAS No.341/2012, in OP No.84/2006 for the lands acquired to an extent of Ac.5.055 cts in Sy.No.17/A1A situated at Yemmiganur Village & Mandal of Kurnool District for the purpose of providing house sites to the weaker section people.

3. Government, after careful examination of the above proposal, hereby accord permission to the Commissioner of Social Welfare, A.P., Hyderabad for release an amount of Rs. 15,92,539/- (Rupees fifteen lakhs ninety two thousand five hundred and thirty nine only) to the District Collector, Kurnool towards payment of half of the decretal charges in LAAS MP No.1059/2012 in LAAS No.341/2012, in OP No.84/2006 for the lands acquired to an extent of Ac.5.055 Cts in Sy.No.17/A1A situated at Yemmiganur (V & M) of Kurnool District for the purpose of providing house sites to weaker section people.

4. The expenditure sanctioned in para (3) above shall be met within the BE.2013-14 and debited to the following Head of Account:

“2225-Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes – 01 – Welfare of Scheduled Castes – M.H.283- Housing – G.H.11-Normal State Plan – SH(08) Acquisition of House Sites to weaker sections in Indiramma Programme – 310/312 – Other Grant – in – Aid”.

5. The Commissioner of Social Welfare, A.P., Hyderabad is directed to issue necessary Proceedings to the District Collector, Kurnool to comply with the Court orders in LAAS MP No 952/2012 in LAAS No 260/2012 in OP No.57/2006.

6. The District Collector, Kurnool shall verify the calculation sheet submitted by the Land Acquisition Officer once again, before issue of the Proceedings for releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

7. This order does not require the concurrence of Finance (Expr.SW) Department, as per their instructions vide U.O Note No.12869/196/A1/Expr.SW/2009 dated 22.05.2009 and U.O No. 15926/256/A1/1/Expr.SW/09, dated 17.08.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J. RAYMOND PETER
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Special Chief Secretary & Chief Commissioner of Land Administration,
A.P., Hyderabad

The Commissioner of Social Welfare, A.P., Hyderabad,
The District Collector, Kurnool

Copy to:

The Director of Treasury & Accounts, A.P., Hyderabad,
The Accountant General, A.P., Hyderabad,
The District Treasury Officer, Kurnool District.

Finance (Exp.SW/BG) Department
SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER